

***McDaniel***  
***37014-041805***



**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**APRIL 18, 2005  
2:00 P.M.**

**CITY COUNCIL CHAMBER  
AGENDA**

**1. Call to Order--Roll Call.**

The Invocation was delivered by Council Member Sherman P. Lea.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor C. Nelson Harris.

Welcome. Mayor Harris.

**NOTICE:**

Today's Council meeting will be replayed on Channel 3 on Thursday, April 21, 2005, at 7:00 p.m., and Saturday, April 23, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

## **ANNOUNCEMENTS:**

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT [WWW.ROANOKEVA.GOV](http://WWW.ROANOKEVA.GOV), CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT [WWW.ROANOKEVA.GOV](http://WWW.ROANOKEVA.GOV), TO OBTAIN AN APPLICATION.

## **2. PRESENTATIONS AND ACKNOWLEDGEMENTS:**

A Resolution memorializing the late Arthur E. Smith, a long-time Roanoke resident and former attorney.

**Adopted Resolution No. 37014-041805. (7-0)  
File #80-367**

Proclamation declaring April 18, 2005 as Beth Poff Day.  
**File #3**

3.

### **CONSENT AGENDA**

**Approved (7-0)**

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1           A communication from Mayor C. Nelson Harris requesting that Council convene in a Closed Meeting to discuss vacancies on certain authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

**RECOMMENDED ACTION: Concur in the request.**

**File #110-132**

- C-2           A communication from Jane R. Conlin, Director of Human/Social Services, advising of the resignation of H. Clarke Curtis as a member of the Human Services Advisory Board, effective immediately.

**RECOMMENDED ACTION: Accept resignation and receive and file communication.**

**File #72-110**

- C-3           Qualification of Christene A. Montgomery as a member of the Parks and Recreation Advisory Board, for a term ending March 31, 2008.

**RECOMMENDED ACTION: Received and filed.**

**File #15-67-110**

### **REGULAR AGENDA**

**4. PUBLIC HEARINGS: NONE.**

**5. PETITIONS AND COMMUNICATIONS:**

- a.           A communication from Council Member Sherman P. Lea, the City's representative to the Roanoke Valley Regional Cable Television Committee, transmitting the RVTV Fiscal Year 2006 budget.

**Adopted Resolution No. 37015-041805. (7-0)**

**File #60-448**

- b. A request of the Roanoke Valley Resource Authority to present the proposed 2005–2006 Annual Budget. John R. Hubbard, Chief Executive Officer, Spokesperson. (Sponsored by the City Manager.)  
**Adopted Resolution No. 37016–041805. (7–0)**  
**File #60–253**

## 6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

### BRIEFINGS:

- Fiscal Year 2006 Recommended Budget - 20 minutes

**Council instructed the City Manager to adjust the proposed 2005–2006 fiscal year budget to include Fire/EMS and Sheriff employees in the new pay scale that was approved for Police Officers which took effect on January 1, 2005.**  
**File #5–18–60–70–121**

### ITEMS RECOMMENDED FOR ACTION:

1. Acceptance of the 2004 Assistance to Firefighters – Fire Prevention and Safety Program Grant from the Federal Emergency Management Agency and United States Fire Administration, in the amount of \$23,766.00; and transfer of funds.  
**Adopted Budget Ordinance No. 37017–041805 and Resolution No. 37018–041805. (7–0)**  
**File #60–70–236**
2. Execution of Renewal Number 1 to the Parking Agreement with Carilion Health System.  
**Adopted Ordinance No. 37019–041805. (7–0)**  
**File #544**

## **7. REPORTS OF COMMITTEES:**

- a. Request of the Roanoke City School Board for appropriation of funds to various school accounts; and a report of the Director of Finance recommending that Council concur in the request. Kenneth F. Mundy, Executive Director of Fiscal Services, Spokesperson.

**Adopted Budget Ordinance No. 37020-041805. (7-0)  
File #60-467**

## **8. UNFINISHED BUSINESS: NONE.**

## **9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:**

- a. A Resolution ratifying and confirming the appointment of John B. Williamson, III, as a Director of the Western Virginia Water Authority, which appointment was made on March 17, 2005, by the Board of Directors of the Authority.

**Adopted Resolution No. 37021-041805. (7-0)  
File #468**

## **10. MOTIONS AND MISCELLANEOUS BUSINESS:**

- a. Inquiries and/or comments by the Mayor and Members of City Council.

**Dr. Cutler called attention to an article in *The Roanoke Times* on April 14, 2005, "Art Gets Canned" with regard to decorating trash cans to resemble classic art, at Addison Middle School, the purpose of which was to acquaint children with great art and to improve the overall appearance of the school.**

**File #467**

**Dr. Cutler called attention to Regional Household Hazardous Waste Collection Days, the first of which will be held on May 15 from 12:00 – 3:00 p.m., at the Roanoke Valley Resource Authority – Tinker Creek Transfer Station, 1020 Hollins Road, N. E. Other collection dates are scheduled for August 7 and November 6 from 12:00 – 3:00 p.m.**

**File #253**

**Dr. Cutler inquired about how the City handles e-trash (discarded surplus or obsolete electronics); whereupon, the City Manager advised that the City has implemented a program and she would brief the Council at its next meeting on Monday, May 2, 2005.**

**File #144–529**

**The Mayor called attention to the ground breaking ceremony for the Culinary School at the Roanoke Higher Education Center on Tuesday, April 19, 2005, at 11:00 a.m.**

**File #414**

**At the request of the Mayor, Council unanimously adopted a motion instructing the City Manager to make the field at Victory Stadium available for high school football games and the Western Virginia Education Classic football game, and that the Council be provided with a report, including cost estimates, with regard to temporary measures that are proposed to be taken.**

**File #122–388–467**

- b. Vacancies on certain authorities, boards, commissions and committees appointed by Council.

## **11. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**The following persons addressed Council with regard to Victory Stadium:**

**Mark McConnel, 110 Kirk Avenue, S. W.**

**Mark Clarke, 6734 Shingle Ridge Road, Roanoke County**

**Greg Lewis 18 Kirk Avenue, S. W.**

**Stuart Barbour, 727 Riverland Road, S. E.**

**Norbert Weckstein, 2602 Wilshire Avenue, S. W.**

**Jim Fields, 17 Ridgecrest Road, Hardy, Virginia**

**John Graybill 2443 Tillett Road, S. W.**

**File # 122**

**Shaheed Omar, 1219 Loudon Avenue, N. W., spoke with regard to alleged police brutality.**

**File #5-66**

**Anita Wilson, 32 Market Square, spoke with regard to the City Market Building.**

**File #42**

## **12. CITY MANAGER COMMENTS:**

**The City Manager called attention to events that were held in the City of Roanoke during the past weekend; i.e.: Blue Ridge – Southwest Virginia Film Festival, on April 15 – 17, and the Giant Indoor Yard Sale on Saturday, April 16 at the Roanoke Civic Center, sponsored by the City of Roanoke’s Recycling Committee to benefit recycling education efforts.**

**File #104-317**

**CERTIFICATION OF CLOSED SESSION. (7-0)**

**THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL 7:00 P.M., IN THE CITY COUNCIL CHAMBER.**





**ROANOKE CITY COUNCIL  
REGULAR SESSION**

**APRIL 18, 2005  
7:00 P.M.**

**CITY COUNCIL CHAMBER**

**AGENDA**

**Call to Order -- Roll Call.**

The Invocation was delivered by Mayor C. Nelson Harris.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Harris.

Welcome. Mayor Harris.

**NOTICE:**

Tonight's Council meeting will be replayed on Channel 3 on Thursday, April 21, 2005, at 7:00 p.m., and Saturday, April 23, 2005, at 4:00 p.m. Council meetings are offered with closed captioning for the hearing impaired.

## **A. PUBLIC HEARINGS:**

1. Citizen input regarding appointment of two Trustees to the Roanoke City School Board for three year terms of office, commencing July 1, 2005 and ending June 30, 2008. Applications were submitted by David B. Carson and William H. Lindsey.  
**File #467**
2. Request of GAPCO Management, LLC, that all proffered conditions established by Ordinance No. 28666-061587 on property located at 3839 Shenandoah Avenue, N. W., identified as Official Tax No. 2732201, be repealed and replaced with new proffered conditions. Edward A. Natt, Attorney.  
**Adopted Ordinance No. 37022-041805. (7-0)**  
**File #51**
3. Request of Mark A. Lucas and Lucas Physical Therapy, Inc., that property located at 739 Townside Road, S. W., identified as Official Tax No. 5490307, be rezoned from LM, Light Manufacturing District, Conditional, to C-2, General Commercial District, subject to certain conditions proffered by the petitioners. Edward A. Natt, Attorney.  
**Adopted Ordinance No. 37023-041805. (7-0)**  
**File #51**
4. Request of the Trustees of Edgewood Holiness Church that a portion of a 10-foot alley beginning at its intersection with Springfield Avenue, N. W., and running in a southerly direction for approximately 124 feet, be permanently vacated, discontinued and closed. Ernest R. Wood, Trustee, Spokesperson.  
**Adopted Ordinance No. 37024-041805. (7-0)**  
**File #514**
5. Request of Crawford Development Co., LLC, to amend proffered conditions on property located at 3806 Thirlane Road, N. W., identified as Official Tax No. 6520105. C. Cooper Youell, IV, Attorney.  
**Adopted Ordinance No. 37025-041805. (7-0)**  
**File #51**

6. Request of The Scott Robertson Memorial Fund for tax exempt status of certain property located at the easternmost 250 feet of Densmore Road, N. W. Jennifer Blackwood, Interim Executive Director, The First Tee of Roanoke Valley, Spokesperson.

**Adopted Ordinance No. 37026-041805. (7-0)**  
**File #79**

7. Proposed conveyance of a 0.460 acre portion of City-owned property, located in the Roanoke Centre for Industry and Technology, Official Tax No. 7230101, in exchange for the release and vacation of a 50-foot perpetual road right-of-way across property owned by Edwin and June Wilson. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 37027-041805. (7-0)**  
**File #2-166-207**

8. Proposed conveyance of a 0.37 acre portion of City-owned property, located on Plantation Road in Roanoke County, Tax No. 027.11-02-05.01-0000, to the Western Virginia Water Authority. Darlene L. Burcham, City Manager.

**Adopted Ordinance No. 37028-041805. (7-0)**  
**File #2-166-468**

## **B. HEARING OF CITIZENS UPON PUBLIC MATTERS:**

**CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.**

**Jim Fields, 17 Ridgecrest Road, Hardy, Virginia, spoke with regard to the renovation of Victory Stadium.**  
**File #122**

**Angela Norman, President of the Committee for Community Preservation, and President of the Municipal Employees Association, spoke with regard to the City's Affirmative Action and Diversity report which was presented to Council by the City Manager on Monday, April 4, 2005.**  
**File #184-411**

**Robert Gravely, 727 29th Street, N. W., spoke with regard to the City's declining population base, real estate tax assessments, lack of affordable housing, a pay scale that is not conducive to home ownership, unfair City hiring practices, and insufficient wages for the City's work force.**

**File #18-79-178-184**

**THE COUNCIL MEETING WAS DECLARED IN RECESS UNTIL THURSDAY, APRIL 28, 2005, AT 7:00 P.M., IN THE CITY COUNCIL CHAMBER, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., FOR THE PURPOSE OF HOLDING A PUBLIC HEARING ON THE PROPOSED FISCAL YEAR 2006 BUDGET.**